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K. Ometz
09/938288
U.S. PTO
08/23/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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DATE OF DEPOSIT August 23, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20031

Kathy L. Tissue
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

Kathy L. Tissue
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Docket No. 18554F

Anticipated Classification of
this application: Class

Prior Application:

Examiner: D. Ometz

Art Unit: 2652

BOX CONTINUATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir: This is a request for filing a

☒ Continuation

application under 37 CFR 1.53(b)

☐ Divisional

of pending prior application Serial No. 09/464,059 filed on
December 15, 1999 of PIERSON ET AL.
(date) (inventor currently of record in prior application)

for Trading Card Optical Compact Disc and Methods of Using and Forming Same
(title of invention)

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy along with a corrected declaration executed on December 10, 1999 showing the applicant's current post office address. In addition, enclosed is a copy of the Declaration and Power of Attorney as filed with the Petition to Correct Inventorship on April 5, 2001 for the prior application.
2. ☐ Prepare a copy of the prior application.
3. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
4. ☒ The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW:

	(Col. 1)		(Col. 2)		SMALL ENTITY			LARGE ENTITY	
FOR:	# FILED		# EXTRA		RATE	FEE		RATE	FEE
BASIC FEE						\$ 355	<u>OR</u>		\$ 710
TOTAL CLAIMS	7	-20			X 9	\$	<u>OR</u>	X 18	\$
INDEP CLAIMS	2	- 3			X 40	\$	<u>OR</u>	X 80	\$
[] MULTIPLE DEPENDENT CLAIM PRESENTED						\$	<u>OR</u>		
* If the difference in Col. 1 is less than "0", enter "0" in Col. 2.					TOTAL	\$		TOTAL	\$ 710

5. ☒ **FILING FEE IS NOT ENCLOSED.**

6. ☒ Cancel in this application original claims ~~1-34~~ of the prior application before calculating the filing fee.

7. ☒ Amend the specification by inserting before the first line the sentence:

cancel
--This application is a continuation of co-pending U.S. Serial No. 09/464,059 filed on December 15, 1999, which is a continuation of U.S. Serial No. 09/292,285 filed on April 15, 1999 and now issued as U.S. Patent No. 6,078,557, which is a continuation of U.S. Serial No. 08/856,915 filed on May 15, 1997 and now issued as U.S. Patent No. 5,982,736 the disclosures of which are hereby incorporated by reference in their entirety.--

8. [] Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by Rule 138 and before payment of base issue fee.)

9a. ☒ New formal drawings are enclosed.

9b. [] Priority of application Serial No. _____ filed on _____ in _____ (country) is claimed under 35 U.S.C. 119.

9c. [] The certified copy has been filed in prior application Serial No. _____ filed _____.

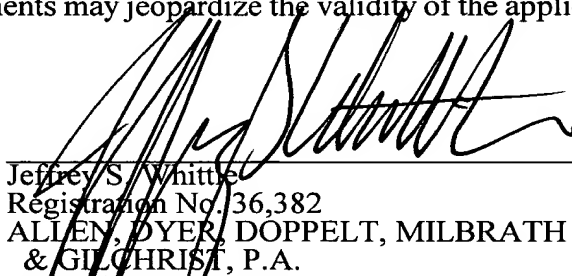
10. ☒ The prior application is assigned of record to **DISKXPRESS US, Inc.**

11. ☒ Citation Under 37 CFR 1.97 and PTO-1449.

12. ☒ The power of attorney in the prior application is to:
Jeffrey S. Whittle, Reg. No. 36,382; Herbert L. Allen, Reg. No. 25,322;
Christopher F. Regan, Reg. No. 34,906; Carl M. Napolitano, Reg. No. 37,405; and
Jacqueline E. Hartt, Reg. No. 37,845
(name, registration number and address)
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Continue to address all future communications to:
Jeffrey S. Whittle, Esq.
Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.
P.O. Box 3791
Orlando, FL 32802-3791
13. ☐ Small entity status of this application under 37 CFR 1.19 and 1.27 has been established by a verified statement previously submitted.
14. ☒ I hereby verify that the attached papers are a true copy of prior application Serial No. 09/464,059 as originally filed on December 15, 1999.

The undersigned declare(s) further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

August 23, 2001
Date



Jeffrey S. Whittle
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ALLEN, DYER, DOPPELT, MILBRATH
& GILCHRIST, P.A.
Post Office Box 3791
Orlando, Florida 32802-3791
(407) 841-2330

- ☒ Attorney or agent of record
☐ Inventor(s)
☐ Assignee of complete interest
☐ Filed under Rule 34(a)

THE COMMISSIONER OF PATENTS
AND TRADEMARKS
WASHINGTON, DC 20231

Transmitted herewith for filing in the patent application of:

Inventors: PIERSON ET AL.

For: TRADING CARD OPTICAL COMPACT DISC AND METHODS OF USING SAME

Serial No.: TO BE ASSIGNED

Filed: HEREWITH

Enclosed are:

- [X] Continuation Transmittal
[X] Continuation Patent Application (27 pages, 3 sheets of drawings)
[X] Preliminary Amendment
[X] Transmittal of Modified Drawings (3 sheets)
[X] Transmittal of Formal Drawings (3 sheets)
[X] Information Disclosure Statement

FILING FEE IS NOT ENCLOSED HEREWITH

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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August 23, 2001
Date


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'EXPRESS MAIL' MAIL LABEL NUMBER **EL67534274245**

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In re Patent Application of:
PIERSON ET AL.

Serial No. **Not Yet Assigned**

Filing Date: **Herewith**

Examiner: **D. Ometz**

For: **TRADING CARD OPTICAL COMPACT
DISC AND METHODS OF USING AND
FORMING SAME**

Art Unit: **2652**

Attorney Docket No.:
18554F

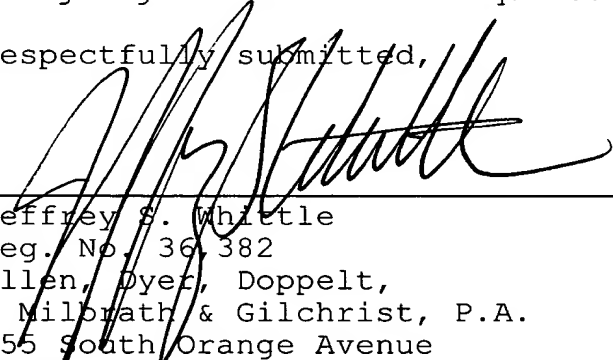
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL OF MODIFIED DRAWINGS

Please substitute modified FIGS. 1-10 (three sheets) for the originally filed FIGS. 1-10 (three sheets). The proposed modifications to FIGS. 1-10 are highlighted in red as required.

Respectfully submitted,


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